



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

June 18, 2018

9:30

Calendar No. 18-107:

2320 W. 5 Street

Ward 3

Kerry McCormack

15 Notices

Dan Raimer, owner, proposes to erect a 2,600 square foot single family house with an attached garage on a 1,760 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.02 which states that no yard or court provided for any building or group of buildings for the purposes of complying with the provisions of this Zoning Code shall be reduced or again considered as the yard or court required for any other building or additional construction on the same lot or on another lot.
2. Section 355.04 which states that the minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 33.33 foot wide lot is proposed.
3. Section 357.08(b)(1)(A) which states that a minimum lot area of 4,800 square feet is required for a single family dwelling; a lot area of 1,760 square feet is proposed.
4. Section 357.08(b)(1) which states that the depth of required rear yard shall be not less than the height of the main building or in this case 40'- 8" and a 9'- 0" rear yard is proposed.
5. Section 357.09(b)(2) which states that no building shall be erected less than ten feet from a main building on an adjoining lot the proposed building is within 6 feet of residence on adjoining lot.
6. Section 357.09(b)(2)(B) no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. Building height is approximately 40'- 8" thus no interior side yard shall be less than 10'- 2" and a 3'-0" side yard is proposed.
7. Section 357.15 which states that the distance between front and rear residence shall be no less than 40'-0" and an 8'-10" yard is proposed.
8. Section 357.15 also states that a front yard not less than twenty (20) feet in depth across the full width of the lot shall be provided for the rear residence building and a zero lot line is proposed.
9. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (May 1, 2018)

9:30

Calendar No. 18-120:

1359 West 95 Street

Ward 15

Matt Zone

30 Notices

Nigel Pope, owner, proposes to change use from a four unit apartment building to a Boarding Home in a B2 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.08(c) of the Cleveland Codified Ordinances which states that Boarding homes are first permitted in the Multi-Family Residential Districts; proposed location is in a Two Family District. (Filed May 23, 2018)

9:30

Calendar No. 18-121:

2632 E. 115 St.

Ward 6

Blaine A. Griffin

22 Notices

The Meeting Place Learning Center, owner, proposes to establish use as a non-profit school tutoring/instructional center and a community meeting place in a B2 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03(b) which states that a Two Family residential district allows uses as regulated as in a One Family district and per section 337.02(g)(3)(A)(b)(C)(G), school/instruction use is permitted if it is at least 30 feet from adjoining premises in a residential district, and if adequate yard space and other safeguards to preserve the neighborhood are provided, and if such building and uses are appropriately designed and will meet a community need without adversely affecting the neighborhood. Proposed use is within 30 feet of adjoining premises in residential district. (Filed May 24, 2018)

9:30

Calendar No. 18-122:

2633 E. 115 St.

Ward 6

Blaine A. Griffin

22 Notices

The Meeting Place Learning Center, owner, proposes to establish use of vacant lot as a playground/recreation area for a non-profit school tutoring and instructional center in a B2 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03(b) which states that a Two Family residential district allows uses as regulated as in a One Family district and per section 337.02(g)(3)(A)(b)(C)(G), school/instruction and grounds for recreation use are permitted if it is at least 30 feet from adjoining premises in a residential district, and if adequate yard space and other safeguards to preserve the neighborhood are provided, and if such building and uses are appropriately designed and will meet a community need without adversely affecting the neighborhood. Proposed use is within 30 feet of adjoining premises in residential district. (Filed May 24, 2018)

9:30

Calendar No. 18-123:

2637 E. 115 St.

Ward 6

Blaine A. Griffin

22 Notices

The Meeting Place Learning Center proposes to establish use of vacant City of Cleveland Land Bank lot as a playground and recreation area for a non-profit school tutoring and instructional center in a

B2 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03(b) which states that a Two Family residential district allows uses as regulated as in a One Family district and per section 337.02(g)(3)(A)(b)(C)(G), school/instruction and grounds for recreation use are permitted if i at least 30 feet from adjoining premises in a residential district, and if adequate yard space and other safeguards to preserve the neighborhood are provided, and if such building and uses are appropriately designed and will meet a community need without adversely affecting the neighborhood. Proposed use is within 30 feet of adjoining premises in residential district. (Filed May 24, 2018)

POSTPONED FROM MAY 29, 2018

9:30

Calendar No. 18-103:

2630 Payne Ave.

Ward 7

Basheer S. Jones

20 Notices

E. & J. Investments , owner, proposes to erect a new 174 foot high telecommunication tower in a C4 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 354.06(a) which states that no telecommunications tower shall be located closer to a Residential District line than a distance equal to three times the height of the tower.
2. Section 354.13 (a) which states that all applications for new telecommunication towers shall be accompanied by the following information, as applicable, in addition to information required for all building permit applications:
 - (1) A site plan,(2) An elevation drawing showing the proposed tower and all structures and landscaping shown on the required site plan, indicating the height, color and materials of the tower and all proposed fencing and other structures. (3) A lighting plan for the proposed tower (4) A vicinity map showing the subject property and the proposed tower and fencing in the context of all property located within a distance from the tower equal to three times the height of the tower, showing within this area, all streets and existing buildings and significant structures and indicating the residential use of an buildings and any property zoned in Residential or Landmarks Districts, such map being marked with topographic contours at 5 feet intervals. (5) Color photographs showing the current view of the tower site from any adjoin public street or any other street within 200 feet of the proposed tower and from the closest groupings of residential buildings located within an area from the proposed tower equal to 3 times the height of the proposed tower, plus a second set of color photographs showing the same views with the proposed tower superimposed onto the photographs. (6) A map showing all existing telecommunications towers and all buildings and structures exceeding 100 feet in height located within one mile of the proposed tower, with such map being accompanied by documentation, in accordance with the provisions of Section 354.05, demonstrating that the applicant has investigated all opportunities for co-location or alternative location and has determined that such co-location or alternative location is infeasible or that the owner of any such structure or attached telecommunications equipment has refused a reasonable offer for co-location.
 - (7) A statement indicating the estimated construction cost of the telecommunications tower and a statement indicating the estimated cost for demolition and removal of the telecommunications tower.
 - (8) A performance bond sufficient to cover the estimated demolition and removal of the telecommunication tower.(Filed April 27, 2018-No Testimony) *POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO MEET WITH THE APPELLANT.*

POSTPONED FROM APRIL 30, 2018

9:30

Calendar No. 18-73:

**7602 New York Ave./Waste
Collection Appeal**

Ward 2

Kevin L. Bishop

Paul Appleton, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on March 7, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC00373076 issued November 17, 2017 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed March 19, 2018-No Testimony)*FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*